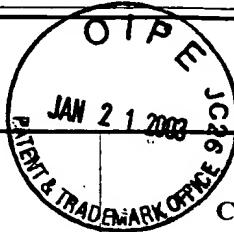


Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Small Entity)

Docket No.  
33087

In Re Application Of: JAMES R. HARTE



Serial No.  
09/553,837

Filing Date  
April 20, 2000

Examiner  
C. N. Hawkins

Group Art Unit  
1734

Invention: EMPTY PACKAGE DETECTOR FOR LABELING APPARATUS

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC  
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**RECEIVED**

JAN 23 2003

**OFFICE OF PETITIONS**

The proposed reply is in the form of: 7 sheets of formal drawings

1.  A proposed reply to the above-identified Office Action:

is enclosed.  was filed on \_\_\_\_\_

01/22/2003 CHUYEN 00000057 09553837

650.00 CP

2.  The issue fee:

is enclosed.  was paid on August 23, 2002

01 FG:2452

3.  A small entity declaration:

is enclosed.  was filed on \_\_\_\_\_

4.  The abandoned application was a:

design application.  utility application.  plant application.

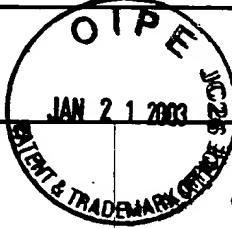
5.  A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6.  Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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Invention: EMPTY PACKAGE DETECTOR FOR LABELING APPARATUS

**Calculation and Payment of Fees**

Enclosed are the following fees:

7.  Petition fee under 37 CFR 1.17(m) in the amount of:

\$650.00

8.  Fee for amendment in the amount of:

\_\_\_\_\_

9.  Fee for extension of time to reply to Office Action in the amount of:

\_\_\_\_\_

10.  Issue fee in the amount of:

\_\_\_\_\_

11.  Continuing application filing fee in the amount of:

\_\_\_\_\_

12.  Terminal disclaimer fee in the amount of:

\_\_\_\_\_

13.  7 Sheets Formal Drawings

Total fees enclosed: \$650.00

The fee of \$650 is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-0522

A duplicate copy of this sheet is enclosed.

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JAN 23 2003

**OFFICE OF PETITIONS**

Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Small Entity)

Docket No.  
33087

In Re Application Of: JAMES R. HARTE

078  
JAN 21 2003  
JC26

Serial No.  
09/553,837

Filing Date  
April 20, 2000

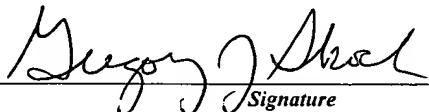
Examiner  
C. N. Hawkins

Group Art Unit  
1734

Invention: EMPTY PACKAGE DETECTOR FOR LABELING APPARATUS

**Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

  
Signature

Dated: 14 January 2002

Gregory J. Skoch, Reg. No. 48,267  
Hovey Williams LLP  
2405 Grand Blvd., Suite 400  
Kansas City, MO 64108  
816/474-9050  
816/474-9057 (FAX)

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JAN 23 2003

OFFICE OF PETITIONS

cc:

I certify that this document and fee is being deposited on 1-14-03 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Signature of Person Mailing Correspondence

  
KATIE KURFMAN  
Typed or Printed Name of Person Mailing Correspondence